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It may not be true of this case. At any rate, he thinks the possibility of such heredity is practically negligible. Feeble-mindedness, on the other hand, apparently, is inherited in 31.4 per cent of the cases.

The monograph is a valuable addition to the literature of criminology.

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CRIME AND CRIMINALS, being the Jurisprudence of Crime, Medical, Biological, and Psychological. By *Charles Mercier*, with an introduction by Sir Bryan Donkin. New York; Henry Holt and Company, 1919. Pp. 290. \$2.50.

Dr. Mercier, in the book under review, defends the doctrine that crime is a product of opportunity and temptation working upon a weak psycho-physical organism. He has no patience with Lambrosianism. He makes what seems to the reviewer the erroneous statement that criminologists in America are followers of the Positive School of criminology; erroneous, at any rate, in the sense in which he uses the phrase "positive school." The attitude of American criminologists seems to approximate very closely to that of Dr. Mercier himself, excepting in this detail, that few, if any, of the outstanding investigators in criminology here will go with Dr. Mercier in his proposition that moral imbeciles "unquestionably exist." Such imbeciles are, he says, instinctive criminals. They are born deficient in a mental quality that normal persons possess (pp. 234 and 235). This viewpoint jars somewhat, in our judgment, with Mercier's general proposition with reference to the nature of crime and criminals.

Dr. Mercier has small praise for the painstaking work of such men as Dr. Charles Goring. Statistics, however carefully they may be handled, yield nothing, he says, toward an understanding of crime and criminals.

He has no confidence in the position taken by the modern-day students of the unconscious as applied to crime and criminals. "It is obvious" he says, "that a state of mind that is unconscious is not a state of mind any more than a solid body that offers no resistance is a solid body. It is nothing. The words are without meaning." Herein it appears that the author is tied to etymology and one is led to suspect, furthermore, that he has not followed the recent literature on the unconscious. Certainly to our way of thinking the concept of the unconscious, as understood today, represents something quite as real as does the psycho-physical background of the so-called moral imbecile which Dr. Mercier discusses later in his book, and in the reality of which he seems to have a high degree of confidence.

In the final chapter entitled "The Prevention, Detection, and Punishment of Crime," Dr. Mercier urges not so much severity as certainty of punishment. As to reform, the only group for whom the ideal can be satisfactorily pursued is that composed of young criminals. The habitual offender is beyond the reach of reform; "he cannot be reformed either by the ancient method of brutal severity or by the modern method of providing him with beer and skittles, with news-

papers to edit and lectures on Sophocles to listen to." The only means by which the youthful criminal can be reformed is "to teach him the delight of congenial labor and the sweetness of obtaining the reward of labor in the respect of his fellows and increased opportunities of enjoying his life by enlarging and deepening and multiplying his interests in things around him."

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IL PASSAGGIO DELL' AMMINISTRAZIONE CARCERARIA AL MINISTERO DI GRAZIA E GIUSTIZIA. By *Prof. Mario Carrara*. Extract from *Archivio Di Antropologia Criminale, Psichiatria e Medicina Legale*, (Vol. XXXVII, Fasc. 5). Turin, 1916.

This is a brief publication by a member of the Institute of Legal Medicine and Criminal Anthropology of the University of Turin. It is a brief essay in commendation of one of the first orders of Signor Orlando, the late Prime Minister of Italy, who, in 1916 was Minister of the Interior. This ministerial order transferred the general direction of prisons and all attached bureaus from the Ministry of the Interior to that of Justice and Pardons. The chief point to the essay is its claim that this ministerial order is a direct tribute to and triumph of the Positive School, since for some time past it had been a definite part of the teaching of the positive group. Moreover, it had been the commonly accepted principle in other European nations. In fact, Italy, in spite of her leadership in criminology, had been out-distanced by most European penal administrations in this regard, except those of Montenegro and Roumania. The arguments which Professor Carrara adduces to support the centralization of treatment of the delinquents in the hands of this combined department seem sound and convincing, and they are put in an admirable style which adds art to good sense.

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EMANUELE CARNEVALE E IL PROBLEMA METODOLOGICO DEL DIRITTO PENALE. By *Prof. Marcello Finzi*. Extract from *Filangiere*, February, 1918. *Società Editrice Libreria*, 1918.

This essay is a splendid tribute paid by the Professor of Penal Law and Procedure in the University of Ferrara to the great Professor Carnevale, formerly head of the Jurisprudence Faculty of the University of Sienna and more recently of the faculty of the University of Palermo. Professor Finzi's study is primarily a review of Carnevale's "Perfecting of Juridical Method and the Integral Concept of Criminal Law," but it is also an attempt to place this latest work in its proper order as crowning three decades of consistent work. Professor Carnevale has been successful during this long period in what is commonly called "la terza scuola"—the third school—which has been seeking to integrate and harmonize the two doubtful rivals, namely, the classical and the positive schools. The position of that third school may be summarized in the basic ideas upon which